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11 Of Counsel

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 **SAN FRANCISCO DIVISION**

15 **AMERICAN MOTORISTS INSURANCE**
COMPANY, an Illinois corporation

16 **Plaintiff,**

17 **v.**

18 **FIREMAN'S FUND INSURANCE COMPANY,**
19 **a California corporation**

20 **Defendants,**

CASE NO. C-05-1030-CRB

STIPULATION AND ORDER
CONTINUING SETTLEMENT
CONFERENCE

21 **WHEREAS, the above captioned matter has been set for a Settlement Conference on October**
22 **6, 2005 before The Honorable Magistrate Judge Laporte, pursuant to this Court's order dated**
23 **September 9, 2005;**

24 **WHEREAS, by letter dated September 23, 2005, plaintiff American Motorists Insurance**
25 **Company ("AMICO") requested Magistrate Judge Laporte to continue the Settlement Conference**
26 **until after the trial on the underlying case, set to begin on November 29, 2005;**
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28

1 WHEREAS, defendant Fireman's Fund Insurance Company stated by letter dated September
2 27, 2005, that it did not oppose AMICO's request;

3 WHEREAS, Magistrate Judge Laporte issued an order dated September 28, 2005 stating that
4 the Court did not have an objection to a continuance and that the parties were to submit a joint
5 stipulation to obtain Judge Breyer's approval as soon as possible.

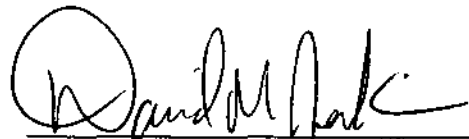
6 Accordingly, the parties hereto, by and through their respective counsel, stipulate as follows:

7 1. The Settlement Conference scheduled before Magistrate Judge Laporte on October 6,
8 2005 should be continued.

9 2. Pursuant to Magistrate Judge Laporte's September 28, 2005 order, the parties agree
10 that, immediately following the conclusion of the trial in the underlying case that is scheduled for
11 November 29, 2005, or no later than January 3, 2006, whichever comes earlier, the parties will
12 submit a letter brief to Magistrate Judge Laporte regarding the status of the case.

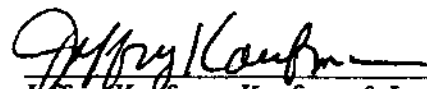
13 3. The Case Management Conference scheduled for November 4, 2005 at 8:30 a.m.
14 should be taken off calendar subject to further order of the Court.

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16 Date: Sept. 30, 2005



David M. Jenkins, Barone & Jenkins, P.C.
Attorney for Plaintiff AMERICAN
MOTORIST INSURANCE COMPANY

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20 Dated: Sept. 30, 2005



Jeffrey Kaufman, Kaufman & Logan, LLP
Attorney for Defendant FIREMAN'S
FUND INSURANCE COMPANY

21
22
23 IT IS SO ORDERED.

24
25 Dated: October 6, 2005

26
27 Hon. Charles R.
United States

